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9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN JOSE DIVISION

12

13 UNITED STATES OF AMERICA, ) CASE NO. 21-MJ-70651-MAG  
14 Plaintiff, )  
15 v. ) STIPULATION TO CONTINUE STATUS  
16 CHRISTIAN ACOSTA INIGUEZ, ) HEARING AND TO EXCLUDE AND WAIVE  
17 Defendant. ) TIME FROM MAY 12, 2022 TO JUNE 2, 2022  
18 ) AND ORDER

19 On May 10, 2022, the parties appeared before the Court for a status conference in the above-  
20 captioned matter and set the next status conference in the case for June 1, 2022 at 1:30 p.m. Government  
21 counsel, however, has a conflict on June 1, 2022. Therefore, with the permission of the Court, the parties  
22 request that the June 1, 2022 status conference be continued to June 2, 2022 at 1:30 p.m., or as soon  
23 thereafter as the Court is available.

24 It is also hereby stipulated by and between counsel for the United States and counsel for the  
25 defendant Christian Acosta Iniguez, that time be excluded under the Speedy Trial Act and that time be  
26 waived under Federal Rule of Criminal Procedure 5.1 from May 12, 2022 through June 2, 2022. The  
27 parties have agreed that time should be excluded under the Speedy Trial Act so that defense counsel can  
28 continue to prepare, including by reviewing the discovery already produced. For this reason, the parties

STIPULATION TO CONT. HEARING & EXCLUDE/WAIVE TIME AND ORDER  
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1 stipulate and agree that excluding time until June 2, 2022 will allow for the effective preparation of  
2 counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of justice  
3 served by excluding the time from May 12, 2022 through June 2, 2022 from computation under the Speedy  
4 Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C.  
5 § 3161(h)(7)(A), (B)(iv).

6 The parties further stipulate that there is good cause for extending the time limits for a preliminary  
7 hearing under Federal Rule of Criminal Procedure 5.1 and for extending the 30-day time period for an  
8 indictment under the Speedy Trial Act.

9 The undersigned Assistant United States Attorney certifies that she has obtained approval from  
10 counsel for the defendant to file this stipulation and proposed order.

11 **IT IS SO STIPULATED.**

12 DATED: May 12, 2022

/s/

AMANI S. FLOYD  
Assistant United States Attorney

14 DATED: May 12, 2022

/s/

PETER LEEMING  
Counsel for Defendant CHRISTIAN  
ACOSTA INIGUEZ

18 **ORDER**

19 The parties' request to continue the June 1, 2022 status conference to June 2, 2022 at 1:30 p.m. is  
20 GRANTED.

21 Based upon the facts set forth in the stipulation of the parties and for good cause shown, the Court  
22 finds that failing to exclude the time from May 12, 2022 through June 2, 2022 would unreasonably deny  
23 defense counsel and the defendant the reasonable time necessary for effective preparation, taking into  
24 account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the  
25 ends of justice served by excluding the time from May 12, 2022 to June 2, 2022 from computation under  
26 the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.  
27 Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from May 12,  
28 2022 through June 2, 2022 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C.

1 § 3161(h)(7)(A), (B)(iv).

2 Additionally, taking into account the public interest in the prompt disposition of criminal cases,  
3 there is good cause to extend the time limits under Federal Rule of Criminal Procedure 5.1(c).  
4 Accordingly, IT IS HEREBY ORDERED that the time limits for conducting a preliminary hearing are  
5 tolled from May 12, 2022 through June 2, 2022.

6 **IT IS SO ORDERED.**

7  
8 DATED: May 12, 2022

